GOODWIN | PROCTER

Scott L. Robertson
202.346.4331
SRobertson@goodwinprocter.com

Goodwin Procter LLP
Counsellors at Law
901 New York Avenue NW
Washington, DC 20001
T 202.346.4000
F 202.346.4444

RECEIVED
SEP 25 2012
ROBERT E. PAYNE
U.S. DISTRICT JUDGE

September 24, 2012

**Via Hand Delivery**

The Honorable Robert E. Payne, United States District Judge
United States District Court for the Eastern District of Virginia
Richmond Division
Spottswood W. Robinson III and Robert R. Merhige, Jr., Federal Courthouse
701 East Broad Street
Richmond, VA 23219

Re:  *ePlus, Inc. v. Lawson Software, Inc.*
     **Civil Action No. 3:09cv620 (REP)**

Dear Judge Payne:

We write to inform you of the status of Lawson's document production in response to the Court's February 21 Order and the Court's instructions during the September 14 conference call.
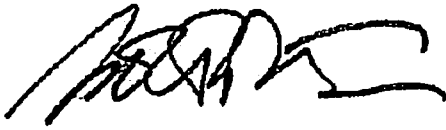
As ePlus explained in its September 13 motion, Lawson has failed to produce close to 5,000 documents that it was ordered to produce. During the September 14 conference call, the Court informed Lawson that it had taken too narrow a view of the scope of the February 21 Order. Accordingly, the Court instructed Lawson to produce additional documents within one week. Sept. 14 Hearing Tr. at 14.

Although ten days have passed since the Court directed Lawson to complete its production, Lawson *has produced only 78 additional documents* and reproduced 20 documents with redactions reduced or removed. Lawson's document production consists largely of irrelevant and duplicative documents.

Furthermore, although Lawson has indicated that it will produce an additional 666 documents, it refuses to commit to a date certain by which it will produce these documents. ePlus is simply at a loss to understand why Lawson cannot immediately produce the additional documents that it has improperly withheld from production, as it repeatedly promised, and as ordered by this Court.

The Honorable Robert E. Payne
September 24, 2012
Page 2


Respectfully submitted,


Scott L. Robertson


cc:      Counsel of Record (via email)